

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JOSHUA THOMAS BALES,  
  
Defendant.

CASE NO. CR20-0090-JCC  
  
ORDER

This matter comes before the Court *sua sponte*. On July 24, 2020, Mr. Bales was charged by indictment with cyberstalking and making interstate threats. (Dkt. No. 15.) Trial was scheduled for September 14, 2020. (Dkt. No. 19.) On September 10, 2020, the Court vacated the trial date pursuant to General Order 13-20, which continued all criminal trials scheduled to begin before October 5, 2020 because of serious health and safety concerns related to the COVID-19 pandemic. (Dkt. No. 23); W.D. Wash., General Order 13-20 at 2 (Sept. 4, 2020).

The COVID-19 pandemic has significantly impacted the Court's operations. (*See* General Orders 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20 each of which the Court incorporates by reference.) Specifically, the pandemic has made it difficult for the Court to obtain an adequate spectrum of jurors to represent a fair cross section of the community, and public health guidance has impacted the ability of jurors, witnesses, counsel, and Court staff to be present in the courtroom. (*See generally id.*) Most recently, General Order 15-20 extended the period of

1 modified Court operations and continued all criminal trials scheduled to begin before January 1,  
2 2021 because of persisting health and safety concerns. W.D. Wash., General Order 15-20 at 2  
3 (Oct. 2, 2020). Accordingly, the Court FINDS and ORDERS:

- 4 1. The COVID-19 pandemic has made it difficult for the Court to obtain an adequate  
5 spectrum of jurors to represent a fair cross section of the community, which has made  
6 it impossible to proceed with trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
- 7 2. Public health guidance has impacted the ability of jurors, witnesses, counsel, and  
8 Court staff to be present in the courtroom, which has made it impossible to proceed  
9 with trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
- 10 3. As a result, the failure to grant a continuance of trial in this matter would make trial  
11 impossible and result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
- 12 4. Accordingly, the ends of justice served by continuing the trial outweigh Defendant's  
13 and the public's best interests to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).
- 14 5. **The parties are ORDERED to attend a status conference on December 1, 2020 at**  
15 **9:00 a.m., at which they must propose a new trial date.**
- 16 6. The period from September 14, 2020, until December 1, 2020 is an excludable time  
17 period under 18 U.S.C. section 3161(h)(7)(A).

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19 DATED this 20th day of November 2020.

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23 John C. Coughenour  
24 UNITED STATES DISTRICT JUDGE  
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